

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

APPROVED 6/14/10

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 24th day of May 2010 A.D. at 7:00 p.m.

President Bollin opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call:	Donald Bollin-President	Jay Lambert
	JoAnne Arruda-Vice President	Cecil E. Leonard
	Hannibal Costa	Edward Roderick
	Louise Durfee	

Town Administrator, James C. Goncalo and Town Solicitor, Andrew M. Teitz were also present.

Approval of Consent Agenda:

All items listed with (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Council President Bollin read the items on the Consent Agenda.

Councilor Leonard made a motion to approve the items on the Consent Agenda.

Councilor Lambert requested removal of item A-1b, Executive Session Minutes May 10, 2010. Councilor Durfee requested removal of item A3-a #6, request for a Public Hearing on Revisions to the Sewer Use Ordinance. Councilor Roderick requested removal of item A-3-7, correspondence from the Planning Board regarding Status of Surety for Countryview Estates. Councilor Costa requested removal of item A-3 a #2-Opposing Contract Continuation from Scituate School Committee.

Councilor Leonard amended his motion to reflect the withdrawals. Seconded by Councilor Roderick motion passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings:

a. Approval of Minutes from Regular Council Meeting May 10, 2010 Councilor Costa and Councilor Roderick abstained - Absent

A-2-Receipt of Minutes from Various Board and Commissions:

- | | |
|---------------------------|-------------------------------------|
| a. School Committee (5) | e. Historical Cemetery |
| b. Pocasset Hill Cemetery | f. Municipal Bldg Adv Committee |
| c. Prevention Coalition | g. Recycling/Landfill Committee (2) |
| d. Wastewater Management | |

A-3-Correspondence:

- a. Resolutions Received
 1. Opposing Mandatory Binding Arbitration Legislation from Scituate School Committee
 3. Support of Waiving recording Fees for Special Loans to Flood Victims from Charlestown
 4. Supporting Legislation Repealing MV and Trailer Excise Tax Elimination Act of 1998 and Allowing Cities and Towns to Recoup Those Revenues Should Reimbursements be Substantially Reduced or Eliminated from Burrillville Town Council
 5. Requesting Federal Energy Regulatory Commission Deny Application of Hess LNG to Build in Mt. Hope Bay

6. Received From Representative Edwards Supporting Application by Town Planner for Tiverton to be Designated a Preserve America Community

A-4- Jane Bitto, Singing Out Against Hunger Requests Public Hearing on July 12th on Sound Variance for Outdoor Musical Fundraiser on September 11, 12 and 13th

A- 5- Lisa Machado, Coastal Roasters - Requests Public Hearing on July 12th on Sound Variance for Outdoor Musical Fundraiser on September 10, 11 and 12th

Approval of Executive Session Minutes of May 10, 2010 Councilor Costa and Councilor Roderick abstained – Absent

Councilor Lambert requested correction on some of the language of the May 10th Executive Session minutes, can be taken up, more appropriately in Executive Session.

Councilor Durfee made a motion to correct the minutes in Executive Session. Seconded by Councilor Lambert motion passed unanimously.

Opposing “Contract Continuation from Scituate School Committee

Councilor Costa wanted to take a stand and oppose binding arbitration and contract continuation. Let State Reps know we do oppose

Councilor Costa made a motion, seconded by Councilor Leonard to accept the correspondence opposing Contract Continuation as stated by the Scituate School Committee. Motion passed unanimously.

Councilor Roderick requested clarification on the motion. Was the Council not in favor of mandatory binding arbitration? Councilor Costa was not in favor of mandatory binding arbitration or contract continuation. President Bollin noted a resolution would be needed and this should be placed on the next Council agenda. Council advised the Town Clerk to put this as a resolve on the next meeting.

Councilor Roderick recused himself from next item regarding Countryview Estates. Councilor Roderick lives in Countryview Estates.

Received From Tiverton Planning Board Regarding Status of Surety for Countryview Estates

Councilor Durfee made a motion, seconded by Councilor Leonard to receive the correspondence from the Planning Board regarding Status of Surety for Countryview Estates. Motion passed unanimously with one abstention.

Councilor Roderick returned to the Council table.

Leroy Kendricks, Chair WWMC – Request Public Hearing for Proposed Revisions to Sewer Use Ordinance on July 12th

Councilor Durfee questioned whether these Proposed Revision to the Sewer Use Ordinance were ready for advertising and a Public Hearing and if the Town Solicitor has reviewed the proposals. The Proposed revisions seem to incorporate State legislation, wanted to know if there was a need for that. Solicitor Teitz had just received the proposed revisions in the Council packet, did not have enough time to review. Solicitor Teitz suggested moving forward with setting a Public Hearing contingent upon being reviewed. Councilor Durfee was concerned about the advertising.

Councilor Durfee made a motion, seconded by Councilor Leonard, to continue the request for a Public Hearing for Proposed Revisions to Tiverton Sewer Use Ordinance to the next meeting. Motion passed unanimously.

The Town Council was sitting as the Board of Licensing Commissioners:

BOARD OF LICENSING COMMISSIONERS AND PUBLIC HEARINGS:

Randy Santerre, 520 Main Road - d/b/a Randy's Deli & Bakery – Request Approval of Victualling and Holiday License – Subject to Meeting All Legal Requirements

Town Clerk Nancy Mello asked the Council to approve only the Victualling License as the applicant does not need a Holiday License and will be refunded the petition fee.

Councilor Costa made a motion, seconded by Councilor Durfee to approve the request for a Victualling License for Randy Santerre, 520 Main Road, d/b/a Randy's Deli Bakery, subject to meeting all legal requirements.

Narragansett Electric d/b/a National Grid –Request Late Renewal for Street Excavator License – Subject to Meeting All Legal Requirements

Councilor Durfee made a motion, seconded by Councilor Roderick to approve the request for Late Renewal for Street Excavator License for National Electric, d/b/a National Grid for a term to expire November 30, 2010, subject to meeting all legal requirements. Motion passed unanimously.

APPOINTMENTS & RESIGNATIONS:

Resignation Received From Michael W. Mello – Member of Zoning Board

Councilor Arruda made a motion, seconded by Councilor Roderick to accept with deep regret the resignation of Michael W. Mello from the Zoning Board. Motion passed unanimously.

Resignation Received From Raymond A. LaFazia – Member of Zoning Board

Councilor Arruda made a motion, seconded by Councilor Roderick to accept with deep regret the resignation of Raymond A. LaFazia from the Zoning Board. Motion passed unanimously.

UNFINISHED BUSINESS:

Honorable June Gibbs – Straight Ticket Voting – Continued From May 10th Meeting

This item was continued from the previous meeting to allow for more public input. Councilor Durfee was in favor of recommending. Asked this to be moved further down on the agenda so latecomers could be heard.

Councilor Durfee made a motion, seconded by Councilor Roderick to defer this item later in meeting. Motion passed unanimously.

FINANCIAL BUSINESS:

WWMC – Request Transfer of \$6,950 From Account Waste Water Account L-01-002-277-01 To Waste Water Account 552-430 for Pumping Station Repairs

Councilor Costa questioned the L account. President Bollin noted the L Account was set up for Waste Water with money generated from user fees. The account was originally set up to pay Fall River.

Councilor Costa made a motion, seconded by Councilor Durfee to approve the request to Transfer \$6,950 from Waste Water Account #L-01-002-277-01 to Waste Water Account #552-430 for Pumping Station repairs. Motion passed unanimously.

Town Administrator – Request Approval for “Carry Forward” of \$22,080 to FY 2011 in Account #098-953 (Non Recurring) to Fund Purchase of Used Mower/Brush Cutter

Administrator Goncalo noted there was \$22,000 in the Capital Fund for purchase of the mower, \$10,000 was appropriated at the Financial Town Meeting for FY11 budget. The estimated cost of a used mower/brush cutter is \$32,000. The bid will not be awarded until after July 1st.

Councilor Durfee made a motion, seconded by Councilor Costa to approve the request for Carry Forward funds of \$22,080 to FY 2011 in Account #098-953.

Councilor Roderick, as he did when this request previously occurred, questioned the cost of this item as presented. The first time this was presented the cost was going to be \$22,000, now another \$10,000 is to be added to the cost. Cost keeps rising. President Bollin believed this was misrepresented the first time, someone thought the funds could be taken from a non-operating account and add it to a number to come up with a cost. The Council, at the time, would not allow funds from the mowing account to be added to a Capitol account. Councilor Durfee agreed this has come up for the third time, previously as a lease purchase. Motion passed on vote of 6-1, Councilor Roderick opposed.

Honorable June Gibbs – Straight Ticket Voting – Continued From May 10th Meeting –Deferred to this time

Latecomer, Charles M. Moran, Jr., unable to voice his opinion at the previous Council meeting due to time constraints, was given the opportunity to present another point of view in support of maintaining Straight Ticket Voting. Mr. Moran's argument to keeping Straight Ticket Voting was there would be a slowing down to the voting process but on the Constitutional level, the idea of Freedom of Association in politics and argued most of the under votes are because of down ballot drop off. Has come up in context in access to the ballot, to have an effective voice, need power in numbers. President Bollin disagreed; this affects Tiverton because of non-partisan elections. Mr. Moran suggested making the ballot clearer, having posters informing the voters. Councilor Durfee was of the opinion this legislation encourages people to vote and is supported by Common Cause, League of Women Voters, RI Board of Elections, 23 Town Councils.

President Bollin pointed out in one election his name was on the bottom of the ballot, yet he was the top vote getter. Disagrees with this argument feeling anyone can go down the ballot and vote one party if they choose. President Bollin read the resolution.

Councilor Durfee made a motion, seconded by Councilor Lambert to adopt the resolution as presented. The Resolution was as follows:

Resolution to Eliminate Straight Party Vote.

Whereas, Rhode Island converted to an up-to-date optical election system a decade ago, but retained the straight party vote option, and

Whereas, retention of the straight party vote option results in confusion at the polls and under-votes for local candidates, especially in cases of nonpartisan elections, and

Whereas, the straight party option discourages qualified individuals to seek elected office, and

Whereas, elimination of the straight party vote option would cause no harm and would contribute to increased voter participation in the election process, and

Whereas, Rhode Island needs to join its neighboring states in the Northeast in modernizing its voting practices by eliminating the straight party vote option, and therefore be it

Resolved, Rhode Island needs to encourage more candidates to run for office to give the electorate more choice in elections, by requiring voting for the individual, not the party, and be it further

Resolved, the Tiverton Town Council supports the repeal of the straight party vote option on the ballot in future elections and will mail this resolution to its RI General Assembly Representative(s) and Senator(s) and to the Speaker of the Rhode Island House of Representatives and President of the Rhode Island Senate.

Adopted by the Tiverton Town Council on May 24, 2010

Councilor Costa noted not too many years ago the Town had partisan elections, thought they were doing the right thing by changing to non-partisan. Now there is emotional division and Councilor Costa plans to propose going back to partisan elections. Councilor Lambert agreed with Senator Gibbs. There is something inherently wrong with trying to encourage straight party to vote for a Council of the people. Councilor Arruda agreed. Motion passed on a vote of 6-1, Councilor Costa opposed.

NEW BUSINESS:

David Beutel, CRMC Aquaculture Coordinator – Brief Description of Potential Aquaculture Farm in Nanaquaket Pond and Application for Farm at Fogland Cove

David Beutel, CRMC Aquaculture Coordinator was asked to brief the Council on potential Aquaculture Farm in Nanaquaket Pond and on an application for a Farm at Fogland Cove. Mr. Beutel had previously met with Town Administrator, Harbor Master and commission. The Fogland Cove application was for commercial viability and was for 1000 square feet. The Fogland Cove has administrative opposition, the location is inappropriate and on hold. The proposed farm in Nanaquaket Pond is for 3 acres, the Southwest corner of the pond, floating aquaculture, series of lines to hold the bags at the surface, April through November. Had a preliminary determination meeting back in March, determined the original location was not appropriate changed to this location. After initial review ending June 14th, put out for public notice, will take written comment, until then an advisory panel will review and give comment, RI DEM Water Resources will also give comment. Came here at the request of the Town Administrator to update with regards to the process.

President Bollin questioned the benefit to the Town; the proposed site is in a recreation area. Mr. Beutel noted a preliminary meeting was held here at the Town Hall in March. Councilor Durfee noted the proposed 3 acres is a sizable area. Councilor Leonard opined the proposal is for the benefit of a couple of people, it's a very popular recreation area, restricting others from usage, denying access to a larger group. Councilor Durfee asked Mr. Beutel to delineate the area on the Council copies, as this was not clear. Julie Mei, head of the Nanaquaket Neighborhood Association had several issues with the Nanaquaket proposal including safety, water quality, the line, oyster shells on the beach, riparian rights. Seems to be extremely close to the shore, who would be liable should an accident occur.

President Bollin noted that Coastal Resources Management Council (CRMC) could give that area away. It is a treasure to the Town. Councilor Durfee also noted under jurisdiction of CRMC by State Law. Mr. Beutel was requested to come here and answer any questions. Mr. Beutel informed the Council he would receive written comments. Councilors Roderick and Lambert wanted to know what benefits, if any, the Town would receive. When questioned by a resident about the file numbers on the application, Mr. Beutel noted the second file number was for a full lease application. Residents also questioned storage of the oysters and if this was also a Zoning issue. Several residents and quahoggers spoke in opposition to the application.

Councilor Roderick was vehemently opposed. Councilor Arruda questioned why the applicant, who was from Bristol, did not apply to put the aquaculture there or in Warren or Portsmouth. President Bollin noted basically the applicant wanted to take a body of water, disrupt usage for the residents in a relatively small pond, some will be unaware which could cause accidents resulting in more problems for the Town to take care of.

Councilor Durfee made a motion, seconded by Councilor Roderick to provide written comment to oppose the application.

Mr. Beutel noted this is a process of the review, asking for input, nothing has been done in giving this body of water away, only reviewing the application at the moment.

Councilor Durfee again made a motion the Town Council oppose the use of Nanaquaket Pond for aquaculture farming as the purpose is detrimental to the use of the pond. Councilor Roderick seconded the motion. Councilor Leonard asked the Council to include Fogland in that motion to oppose. Councilor Durfee agreed. Motion passed unanimously.

President Bollin reminded those in opposition to the application to write CRMC and tell them why they are opposed.

Town Administrator – Request Permission to Advertise for Police Department Hire List

Administrator Goncalo requested permission to advertise for a Police hiring list. Came before the Council at the last meeting to advertise for a Fire Dept. hiring list, would like to combine the two, need to do as soon as possible for the start of the Police Academy.

Councilor Costa questioned procedure and was noted applications come in sealed envelopes to the Clerk's office properly labeled position. Clerk's office lists and maintains sealed applications and hands directly to personnel board.

Councilor Roderick made a motion, seconded by Councilor Arruda to advertise in conjunction with the Fire Dept. Motion passed unanimously.

Council President Bollin recused himself at this time and left the Council table.

Leroy Kendricks, WWMC Chairman – 2011 State Revolving Fund Submittals Proposed Projects for RIDEM Project Priority List

Councilor Roderick questioned whether he should recuse himself since he's a sewer user. Solicitor Teitz was of the opinion that as a sewer user he was from a large class of people, so this would not be a significant item for him.

Wastewater Management Commission (WWMC) Chairman, Leroy Kendricks, briefed the Council on the submittals for Proposed Projects for RIDEM Project Priority List for 2011. The Project Proposals were for the Community Septic System Loan Program, estimated cost \$300,000 and the Community Sewer Tie-in Program, and with estimated cost of \$300,000. The Sewer Tie-in is a loan program, money allocated to the Town to fund the loan program.

Councilor Durfee made a motion, seconded by Councilor Costa to approve the proposed projects. Motion passed unanimously.

Councilor Leonard questioned who was deciding on loan applications. Informed by Mr. Kendricks RI Housing is preliminary approver unless out of eligibility then they can appeal to wastewater management.

Leroy Kendricks, WWMC Chairman – Request to Give C& E Engineering a Change Order to Perform Additional Design in the Shove Street Area

Several meetings ago the Council approved preliminary engineering study for sewers and pumps in the Shove Street area. A better solution was found to put the sewers in; the design would eliminate the Ponta Pump Station.

Councilor Durfee made a motion, seconded by Councilor Leonard to approve the change order as requested by the Wastewater Management Commission using CDBG funds. Motion passed unanimously.

Leroy Kendricks, WWMC Chairman – Request Approval Extension of Existing Sewer Line for Audet Street

Initiated by the Dept. of Public Works plan to pave over Audet Street. Three residents are not currently connected to the sewer line. The residents are willing to fund 80' of line to make the sewer connection available. The residents are open to paying the betterment fees.

Councilor Costa made a motion, seconded by Councilor Durfee to approve the extension at the cost to area residents. Motion passed unanimously.

Council President Bollin returned to the Council table at this time.

BIDS & REQUESTS FOR PROPOSALS:

DPW Director S. Berlucchi– Request Approval to Advertise Invitation to Bids for New/Used Grass Mower/Brush Cutter

DPW Director Steve Berlucchi again requested approval to advertise for bids on a New/Used Grass Mower/Brush Cutter. The total cost is estimated to be \$32,000. Last year, when this was first advertised, there were two bidders. Councilor Durfee questioned the return date for the bid, as that line was blank. Director Berlucchi hoped to

expedite the matter and award after July 1st. Town Clerk Nancy Mello could advertise next week, could be put on the June 28th agenda, this would allow for 10 days after the publication.

Councilor Durfee made a motion, seconded by Councilor Costa to use a return date of June 21, 2010.

Councilor Roderick again took issue with this item. Nothing against Director Berlucchi but this item not presented correctly.

Motion passed on a vote of 6-1, Councilor Roderick opposed.

Recreation Commission, Bob Martin – Request Approval Advertise Invitation to Bid for Twirl (Merry go Round) for Bulgarmarsh Road Playground

Administrator Goncalo told the Council the funding was coming from a DEM grant.

Councilor Arruda made a motion, seconded by Councilor Roderick to approve the request to solicit bids for a Twirl (Merry-Go-Round) at Bulgarmarsh Park using DEM grants. Motion passed unanimously.

TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS:
Follow up Action From FTM Regarding Tax Levy Cap

Administrator Goncalo had given the Council a draft of supporting documents to be submitted to the RI Division of Municipal Finance requesting a waiver of the property tax cap reflecting budget approval at FTM.

Councilor Durfee noted the cover letter needed to state this is result of FTM and notice of ad for proposed budget presented to FTM not needed at this point. Also suggested the Solicitor should review since the Town is already in litigation. Solicitor agreed to review and incorporate comments as well as remove apology for lateness included in Goncalo's letter.

Councilor Lambert stressed they were not recording a vote by the Council at this point. Lambert questioned Administrator Goncalo if he was requesting or recommending a vote by Town Council at this point. Solicitor Teitz noted a vote is not required, an action of the FTM, this is an administrative act to convey to State actions at FTM. Councilor Lambert asked the Solicitor if there would be a vote of the Council, answer was no. Councilor Lambert wanted to make clear he will not vote for or against any request for waiver to exceed the 4.5% cap and will abstain from a vote.

By abstaining on any vote that pushes this process forward, Lambert stated he is not voting against the levy, thinks something positive will come out of this. To the extend he can, he will be insisting that Council finally find out if they are actually following the law. Statue 44-5-2, beginning with subsection (e) quoting "any levy pursuant to subsection (d) of this section in excess of the percentage increase specified in subsection (a) of this section shall be approved by an affirmative vote of at least 4/5 of the full membership of the governing body of the city or town or in the case of a city or town having a financial town meeting, the majority of the electors present and voting at the FTM shall also approve the excess levy." Lambert takes the 4/5 vote to mean a full membership vote of 4/5 mandated by state statue before this Town can exceed the cap. That is a super majority.

Councilor Lambert continued stating if only a majority of FTM approved the tax levy we are considering, we effectively have no tax cap in Tiverton. States because all we need is majority vote of FTM budget if below the cap and now all we need is majority vote if budget is above the cap.

Closest statement we have from Dept municipal Finance for an interpretation of this section was provided in December 2008 in a report on the property tax cap fiscal year 2009. "This Division has advised Towns that the 4/5 Council vote is also necessary for FTM Towns. Never the less, we believe clarification language would be helpful especially for those Towns where the Council does not play a role in the budget or tax levy approval (Lincoln and Tiverton).

Lambert believes the state statute mandates the Council does have a role. In fact this requirement was sent out in a form letter to Mr. Goncalo in May of 2008 when issue last raised and reads in part "I should note that this excess levy is authorized by the Dept of Revenue must be approved by an affirmative vote of at least 4/5 of the full membership of the governing body and a majority of the electors at the FTM." Lambert believes by abstaining on this vote Council may at least have an opportunity to have the Div of Municipal Finance address the issue. Believes the issue to be "is the Town Council approval required; and, if so is it a 4/5 vote or is it simply enough to have a majority vote at the FTM."

Councilor Lambert will abstain and his position will remain, in order to have effective tax cap in this town, need a super majority whether from Town Council or from FTM. Statutory obligation is clear enough that there is a legislative intent to have a super majority. Council has wrestled with this in past and hasn't come up with solution. Now will ask Div of Municipal Finance to give their opinion and can go from there.

Councilor Costa felt courtesy was given to Councilor Lambert, discussion now out of order. Although Costa did not agree with vote of FTM, people voted. Should follow the advice of the Solicitor.

President Bollin allowed Town Administrator to finish his comment and then moved on with Council agenda.

ADMINISTRATOR ANNOUNCEMENTS:

1. Bulgarmarsh Park Basketball Courts will be painted and striped by June 7, fencing will be erected this week, working on the track, has come a long way.
2. Paving sections of Kearns, Hooper, Canonicus, funds from National Grid, No. Tiverton Fire District, Stimulus and FEMA.
3. FEMA approved an Engineer for \$6,500 for a sewer line; the Town 's share is \$1625.
4. Taxes at this time, 3.43% of the levy, uncollected 4782,000.
5. DPW will be collecting large plastics for recycling on 6/19 from 8am to 1pm.
6. Hazardous wastes drop off at DPW on 7/17 from 9am to 1pm.

Administrator Goncalo responded to Councilor Durfee's previous question about the School bonds being called if a school were to be closed. The bonds would be called.

COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Councilor Leonard reminded about the Economic Development Committee meeting at the new Family Ties Restaurant on Main Road

Councilor Roderick, though upset with the final outcome of the FTM, agreed with Councilor Lambert, the law is ambiguous. Elected by all the people, if the will is to increase their taxes, then that is their will, the vote showed how slim the majority is. Councilor Roderick's understanding was if the Council does not ask for a waiver, then they have to find the funds. Councilor Durfee noted the Council might get an answer one way or another with the outcome of the Coulter case. Jeff Caron noted in 2008 there was no vote resulting in a lawsuit. Had the same solicitor, questions the legal advice. Councilor Costa noted the remarks were out of order. President Bollin stated the Council was acting under the advice of the Solicitor and will let the Courts decide

TOWN SOLICITOR, ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Hoffman Engineering Report – Meeting Minutes 4/1/201-5/15/2010

The Council was given the latest report from Bob Hoffman with color pictures, there is another report in Executive Session, may be further litigation, situation not getting any better.

RI Ethic Commission Opinions Regarding Councilor Bollin and Councilor Costa Relative to the Petition by Tiverton Yacht Club for Zoning Change

The RI Ethics Commission responded to Councilors Bollin and Costa for an advisory opinion relative to the Tiverton Yacht Club Petition. Councilor Costa may participate in the matter, he received a staff recommendation.

Councilor Bollin must recuse himself due to a split deliberation, four votes in favor, one opposed, one abstained and one recusal. Five votes were needed so a recusal is recommended.

Solicitor Teitz did not want to rehash the 4/5 vote, will not discuss the issue relative to the FTM unless the Council has questions.

CLOSED EXECUTIVE SESSION:

1.Town Solicitor - Litigation – 42-46-5(a) (2)

2.Town Solicitor – 42-46-5(a)(6) – Prospective Business or Industry

3.Town Administrator–42-46-5(a)(2)–Collective Bargaining - IBPO, IAFF & Teamsters

Councilor Arruda made a motion, seconded by Councilor Roderick to enter into Executive Session pursuant to 42-46-5(a)(2)- Litigation. Motion passed unanimously.

Councilor Arruda made a motion, seconded by Councilor Roderick to remain in Executive Session pursuant to 42-46-5(a)(6)- Prospective Business or Industry. Motion passed unanimously

Councilor Arruda made a motion, seconded by Councilor Roderick to further remain in Executive Session pursuant to 42-46-5(a)(2)- Collective Bargaining – IBPO, IAFF & Teamsters. Motion passed unanimously

Councilor Durfee left prior to start of Executive Session.

The Council entered into Executive Session at approximately 9:20 p.m.

The Council returned to Open Session at approximately 10:05 p.m.

OPEN SESSION:

Councilor Bollin announced formal action had been taken in Executive Session relative to a correction on the May 10, 2010 Executive Session minutes.

Councilor Roderick motioned to seal the minutes of Executive Session. Seconded buy Councilor Costa, motion passed unanimously.

ADJOURNMENT:

Councilor Leonard motioned to adjourn, seconded by Councilor Costa motion passed unanimously.

Council adjourned at approximately 10:10 p.m.

A True Copy.

ATTEST: _____

Nancy L. Mello, Town Clerk